

LABOUR DEPARTMENT

The 29th August, 1980

No. 11(112)-80-3Lab/10013.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workmen and the management of M/s Partap Steel Rolling Mills Pvt., Limited (Refractory Division), Sector 25, Ballabgarh.

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 67 of 1980

between

SHRI SATYA NARAIN, WORKMAN AND THE MANAGEMENT OF M/S PARTAP STEEL ROLLING MILLS PRIVATE LIMITED (REFRACTORY DIVISION), SECTOR 25, BALLABGARH

Present :—

None for the workman.

Shri S. C. Malik, Time Office Incharge along with
Shri K. P. Aggarwal, for the respondent-management.

AWARD

This reference No. 67 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/6/80/6365, dated 4th February, 1980, under section 19(i)(c) of the Industrial Disputes Act, 1947, for adjudication of the dispute existing between Shri Satya Narain, workman and the management of M/s Pratap Steel Rolling Mills Private Limited (Refractory Division), Sector 25, Ballabgarh. The term of the reference was :—

‘Whether the termination of services of Shri Satya Narain was justified and in order ? If not, to what relief is he entitled ?’

After receiving this reference notices were issued to both the parties who appeared and filed their pleadings. On 1st August, 1980, the representative of the workman Shri P. K. De had withdrawn from this reference voluntarily. In these circumstances, I had to proceed *ex parte* against the workman and the case was fixed for the *ex parte* evidence of the management for 4th August, 1980.

On 4th August, 1980, the *ex parte* evidence of the management was recorded. The management produced Shri S. C. Malik, Time Office Incharge of the respondent management, its sole witness as MW-1. He made a statement that Shri Satya Narain approached the management for settlement and a settlement under section 18(i) of the Industrial Disputes Act, 1947, had been arrived between the parties. The settlement copy of Shri Satya Narain is Ex. M-1. According to the settlement the workman had taken his full and final dues from the management. Photostat copy of the receipt is Ex. M-2. He further stated that the workman had forgone the right of reinstatement or re-employment with the management as per terms and condition of the settlement. He has also stated that now there is no dispute left between the parties.

In view of the un rebutted *ex parte* the evidence produced by the management. I am left with no choice except to believe the version of the management. Over and above this my finding gets support from the absention of the workman in these proceedings in this court in this reference. I feel that he workman had settled his dispute with the respondent management and no claim is made out of the workman against the management. I give my award accordingly. No order as to costs.

This may be read in answer to this reference.

ISHWAR PRASAD CHAUDHRY,

Dated the 22nd August, 1980.

Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 1581, dated the 25th August, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947 with the request that the receipt of the above award may please be acknowledged with in week's time.

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.